Overruling the recommendations of UPSC

2459. SHRI M. S. GURUPADASWAMY: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Government have been constantly overruling the recommendations of the Union Public Service Commission with regard to promotion and recruitments etc.,

(b) the number of cases the UPSC recommendations (showing the nature of the recommendations) were over-ruled by Government at the end of 1991 as compared to 1989 and 1990; and

(c) the major reasons for non-acceptance of UPSC recommendations?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): (a) and (b) No, Sir. The number of cases in which the recommendations of the Union Public Service Commission were not accepted by the Government are negligible compared to the total number of such recommendations made by the Union Public Service Commission. In this regard figures relating to number of recommendations made by the Union Public Service Commission and the total number of cases in which the Government did not agree with the recommendations of the UPSC (with break-up) for the years ended 31st March 1989, 31st March 1990 and 31st March 1991 are given below:—

	1988-89	1989-90	1990-91
Total number of recommendations	14705	14740	19024
Total number of cases in which recommendations of UPSC were not accepted	15	10	8
Break-up of disagreement cases.			
Promotion	10	3	6
Deputation	..	3	..
Procedure for DPC	..	1	..
Disciplinary cases	4	3	2
Exemption from Consultation	1	..	..

(c) The major reasons for non-acceptance of the Union Public Service Commission's advice are (i) difference of opinion in assessment of suitability of the candidates based on their service records and other related aspects and (ii) difference of opinion with regard to adequacy of punishment for acts of mis-conduct.

Reservation Policy for the Private Sector

2460. SRI ANAND PRAKASH GAUTAM:

SHRI PRAKASH YASHWANT AMBEDKAR:

SHRI SHABBIR AHMAD SALARIA:

Will the PRIME MINISTER be pleased to state:

(a) whether Government intend to extend the reservation policy to the private sector; and

(b) whether Government intend to see that the reservation policy is followed by units which are converted from public or Government sector to private sector?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): (a) and (b) The policy of reservation for the Scheduled Castes| Scheduled Tribes of the Government flows from Article 16(4) of the Constitution which refers to the appointments made by the State. The existing constitutional provisions do not cover the appointments made by private sector establishments as these are appointments not made by the State. However the question of protecting the interest of the SC|ST employees in public|Government sector on their conversion into private sector units will be examined as and when such conversion actually takes place.

Promotion of SC/ST Officers

2461. SHRI ANAND PRAKASH GAUTAM: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that SC|ST officers are not promoted to the post of Secretary due to not fulfilling minimum service condiion of 30 years (total IAS Service) as they are recruited as IAS after 25 years' age under 5 years' age relaxation; and

(b) if so, what steps Government propose to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): (a) No, Sir. There is no such discrimination against the officers from SC|ST. Any officer who does not complete 32 years in Group 'A' till the date of his superannuation would not be normally eligible for posting as Secretary to the Government of India since the eligibility criteria for empanelment at the level of Secretary are as under:

(i) 30 years service in Group 'A';

(ii) minimum 2 years' service in a post carrying a basic pay of Rs. 7300|-

(iii) balance service of 2 years left for retirement.

(b) There is no proposal to reduce the eligibility criteria for the post of Secretary to the Government of India.

Transfer of I.A.S. and I.P.S. Officers

2462. SHRI JAGMOHAN: Will the PRIME MINISTER be pleased to state:

(a) the number of I.A.S. and I.P.S. officers serving under the Union Government, were transferred during the period 1st October, 1991 to 31st January, 1992, from their assignments without simultaneously being given other assignments;

(b) whether Government have taken note of the adverse effects these transfers had on the morale of the services;

(c) wheher Government would consider setting up of independent Advisory Tribunal to which the aggrieved officer could approach for vindication of his position; and

(d) whether the Advisory opinions of the proposed Tribunal in all such cases could be placed before the Parliament the yearly report?